IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

Bail Appl..No. 4331 of 2007()

CRIME NO. 90/07 OF KADAKKAVUR POLICE STATION

PETITIONERS/ACCUSED 1 TO 3

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1. OMANA W/O.SASI,
   NEDIYAVILA VEEDU, THINAVILA, KEEZHATTINGAL,
   THIRUVANANTHAPURAM DISTRICT.

2. BABY W/O.UNNI,
   NEDIYAVILA VEEDU, THINAVILA,
   KEEZHATTINGAL, THIRUVANANTHAPURAM DISTRICT.

3. UMESH S/O.UNNI,
   NEDIYAVILA VEEDU, THINAVILA,
   KEEZHATTINGAL, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.D.KISHORE

RESPONDENTS: STATE & COMPLAINANT

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1. STATE OF KERALA REPRESENTED BY ITS
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
   KADAKKAVUR POLICE STATION.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 4331 of 2007

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Dated this the 16th day of July, 2007

O R D E R

The petitioner apprehends arrest in a crime registered for offences punishable, inter alia, under Section 326 I.P.C. All other offences are bailable. The learned Prosecutor, after taking instructions, submits that after investigation the allegation under Section 326 I.P.C. has been withdrawn. A report to that effect has already been filed. All the offences alleged against the petitioner in the said crime, i.e. Crime No. 90 of 2007 of Kadakkavur Police Station, are bailable offences. In these circumstances there is no necessity to issue any direction under Section 438 Cr.P.C., submits the Prosecutor.

2. The submissions of the Prosecutor are taken note of and recorded. It is now evident that the apprehension of the petitioner that he will be arrested on the allegation of having committed non-bailable offence is non-existent and unreal. The petitioner can seek bail for the bailable offences in accordance with law.

3. This application is hence dismissed.

(R. BASANT)

tm Judge